

"(i) The fair market rentals established annually by the Secretary of Housing and Urban Development under section 8(c)(1) of the United States Housing Act of 1937 (42 U.S.C. 1437f(c)(1)).

"(ii) An index developed in the private sector that the Secretary of Defense determines is comparable to the fair market rentals referred to in clause (i) and is appropriate for use to determine the adequate housing allowance floor.

"(B) The Secretary of Defense shall carry out this paragraph in consultation with the Secretary of Transportation, the Secretary of Commerce, and the Secretary of Health and Human Services."

(3) EFFECT ON TOTAL AMOUNT AVAILABLE FOR ALLOWANCE.—

Subsection (d)(3) of such section is amended in the second sentence by striking out "the second sentence of subsection (c)(3)" and inserting in lieu thereof "paragraph (1)(B) of subsection (c) and the second sentence of paragraph (3) of that subsection".

(4) CONFORMING AMENDMENTS.—Subsection (c) of such section is further amended—

(5) in paragraph (3), by striking out "this subsection" in the first sentence and inserting in lieu thereof "paragraph (1)(A) or the minimum amount of a variable housing allowance under paragraph (1)(B)" and

(6) in paragraph (5), by inserting "or minimum amount of a variable housing allowance" after "costs of housing".

Federal Register; (e) EFFECTIVE DATE.—The amendments made by this section shall take effect on January 1, 1997, except that the Secretary of Defense may delay implementation of the requirements imposed by the amendments to such later date as the Secretary considers appropriate upon publication of notice to that effect in the Federal Register.

SEC. 607. FAMILY SEPARATION ALLOWANCE FOR MEMBERS SEPARATED BY MILITARY ORDERS FROM SPOUSES WHO ARE MEMBERS.

(a) ADDITIONAL BASIS FOR ALLOWANCE.—Paragraph (1) of section 427(b) of title 37, United States Code, is amended—

(7) by striking out "or" at the end of subparagraph (B);

(8) by striking out the period at the end of subparagraph

(C) and inserting in lieu thereof "or" and

(3) by adding at the end the following new subparagraph:

"(D) the member is married to a member of a uniformed service, the member has no dependent other than the spouse, the two members are separated by reason of

the execution
of military orders. and the two members were
residing together
immediately before being separated by reason of
execution of
military orders."

(b) CONFORMING AMENDMENT.—Such section
is further
amended by adding at the end the following new
paragraph:

"(5) Section 421 of this title does not apply to bar
an entitlement
to an allowance under paragraph (1)(D). However,
not more than
one monthly allowance may be paid with respect to
a married
couple under paragraph (1)(D) for any month."

**SEC. 608. WAIVER OF TIME LIMITATIONS FOR CLAIM FOR
PAY AND
ALLOWANCES.**

Section 3702 of title 31, United States Code, is
amended
by
adding at the end the following new subsection: